

IN THE CIRCUIT COURT OF LAMAR COUNTY, MISSISSIPPI

LYNDA J. REON

PLAINTIFF

VERSUS

CIVIL ACTION NO. 37-20cv032

**GARCIA CAMPOS, TA LOGISTICS, INC
AND JOHN DOES 1, 2, & 3**

DEFENDANTS

COMPLAINT

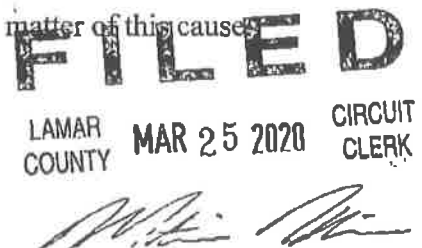
COMES NOW Plaintiff, Lynda J. Reon (hereinafter "Lynda"), and files this her Complaint against the Defendants, Garcia Campos, and TA Logistics, Inc. (hereinafter "TA") and John Does 1, 2, & 3 and in support hereof, would show unto the Court the following facts, to-wit:

1. That Plaintiff, Lynda Reon, is an adult resident citizen of Jones County, Mississippi, and was at the time of the incident made the underlying basis of this lawsuit.

2. Defendant, Garcia Campos, is an adult resident citizen of Tamaulipas, Mexico and he may be served with process at Logona Del Co Nejo 313, Tamaulipas, Mexico or wherever he may be found.

3. Defendant, TA Logistics, Inc., is a Texas business based out of Laredo, TX. The Defendant's physical address is 10202 Crossroads Loop, Laredo, TX 78045-7952 and may be served with process as a non-resident authorized to do business in the state of Mississippi pursuant to Section 13-3-63 of the Miss. Code Ann. 1972 or through its registered agent for process.

4. That this Court has jurisdiction of the parties and subject matter of this causes



5. That venue is proper in the Circuit Court of Lamar County, Mississippi due to the fact that the accident occurred in Lamar County, Mississippi.

FACTS

6. On or about April 11, 2017, Mrs. Lynda Reon was traveling southbound on I-59 in Lamar County, MS in a 2008 Ford Van. The Defendant, Mr. Garcia Campos, was also traveling southbound on I-59 in a 2017 Volvo eighteen wheeler, which was owned by Defendant, TA Logistics, Inc. Both vehicles were traveling in the lefthand lane of I-59 with Defendants vehicle traveling behind Lynda's vehicle. The front of the Defendant's vehicle made a violent impact to the rear of Lynda's vehicle in the lefthand lane of I-59. The violent impact caused Lynda to lose control of her vehicle and rolling her vehicle approximately 3 times before coming to final rest off the right side of I-59 in an upright position. The Defendant's vehicle came to final rest in the median of I-59. The collision occurred as a sole and proximate result of the negligence of the defendant(s). The collision resulted in serious personal injuries and damages to the Plaintiff. All of this occurred on I-59 in Lamar County, Mississippi.

COUNT ONE

7. Plaintiffs re-allege and incorporate by reference the foregoing paragraphs as if set forth fully herein and further aver as follows:

8. On or about April 11, 2017, on I-59 , in Lamar County, Mississippi, to wit:
Defendant, Garcia Campos, who was serving as an employee/agent for Defendant, TA Logistics, Inc. and various fictitiously described Defendants did negligently and/or wantonly:

- a. operate a 2017 Volvo eighteen wheeler and failed to keep their vehicle under control and a safe distance behind the vehicle being driven by

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Plaintiff and the front of Defendants vehicle made impact to rear of Plaintiff's vehicle in the lefthand lane of I-59, which Plaintiff was legally occupying at the time of the Defendants negligent actions.

- b. properly monitor the maintenance on the 2017 Volvo vehicle that made impact to the rear of Plaintiff's vehicle;
- c. operated a 2017 Volvo eighteen wheeler that violated Mississippi motor vehicle statutes and Federal Motor Carrier Statutes;
- d. violated company policy;
- e. caused and/or contributed to the occurrence made the basis of the Plaintiff's claims.

9. At the time of the incident made the basis of this lawsuit Defendant, Garcia Campos and various fictitiously described Defendants were acting in the line and scope of their employment and/or agency for Defendant, TA Logistics, Inc. and various fictitiously described Defendants.

10. Plaintiffs allege that their injuries and damages were caused as a proximate consequence of the wrongful, negligent, gross negligence and/or wanton conduct of Defendants, Garcia Campos and TA Logistics, Inc. and various fictitiously described Defendants.

11. Defendant, Garcia Campos, actions were in furtherance of a company-wide pattern and practice of consciously and/or recklessly disregarding the safety of the motoring public in order to advance the financial gains of the company.

12. As a direct and proximate consequence of the aforesaid wrongful, negligent, grossly negligent and/or wanton conduct of Defendants, Garcia Campos and TA Logistics, Inc. and fictitiously described Defendants, Plaintiff has been injured and damaged as follows:

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- a. Plaintiff, Lynda Reon, was caused to suffer injuries to her body that have required, and will require in the future, medical care and treatment;
- b. Plaintiff, Lynda Reon, has been caused to endure mental, as well as physical, pain and suffering and will be caused in the future to endure mental, as well as physical, pain and suffering;
- c. Plaintiff, Lynda Reon has expended and will be caused in the future to expend sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to cure and heal her injuries;
- d. Plaintiff, Lynda Reon, has been permanently injured;

COUNT TWO

13. Plaintiffs re-allege and incorporate by reference the foregoing paragraphs as if set forth fully herein and further aver as follows:

14. On and prior to the 11th day of April, 2017, Defendant, TA Logistics, Inc. and various described Defendants wrongfully, negligently, grossly negligently and/or wantonly:

- a. operated a commercial vehicle for hire with inadequate safety management controls;
- b. entrusted a vehicle to an incompetent driver with knowledge of said driver's incompetence;
- c. hired and selected the driver of the 2017 Volvo eighteen wheeler which collided with the vehicle occupied by Plaintiff;
- d. trained the driver of the 2017 Volvo eighteen wheeler which collided with the vehicle occupied by Plaintiff;
- e. supervised and monitored the driver of the 2017 Volvo eighteen wheeler

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- which collided with the vehicle occupied by Plaintiff;
- f. used an unskilled, unknowledgeable, unqualified or disqualified driver;
 - g. retained the employment of the driver of the 2017 Volvo eighteen wheeler which collided with the vehicle occupied by Plaintiff;
 - h. violated Mississippi motor vehicle statutes and Federal motor carrier statutes;
 - i. violated their own company policy;
 - j. aiding and abetting their employees in the violation of the Federal Motor Carrier Safety Regulations and Mississippi motor vehicle statutes; and
 - k. cause and/or contributed to the occurrence made the basis of the Plaintiff's claims.

COUNT THREE

15. Plaintiffs re-allege and incorporate by reference the foregoing paragraphs as if set forth fully herein and further aver as follows:

16. On and prior to the 11th day of April, 2017, Defendant, TA Logistics, Inc. and various described Defendants were grossly negligent for the actions/inactions which constitute gross negligence, entitling Plaintiff to all consequential damages allowable under law, and further constitute such negligence as amounts to gross negligence, entitling her to heightened damages, including attorneys fees, interest and punitive damages as follows:

- a. Plaintiff alleges each and every occurrence listed in paragraph 14 above beginning with (a. through k); operated a commercial carrier/eighteen wheeler truck with inadequate safety management controls;
- b. That the Defendant, Garcia Campos, individually and acting within the

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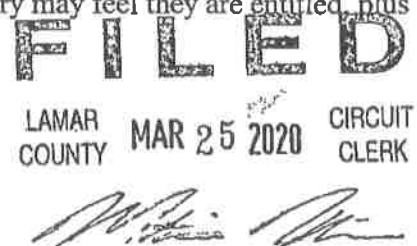
scope of his employment with Defendant, TA Logistics, Inc., failed to keep a safe and reasonable distance behind Plaintiff's vehicle;

- c. That the Defendant, Garcia Campos, individually, and acting within the scope of his employment with Defendant, TA Logistics, Inc., knew that he was following to close to the rear of Plaintiff's vehicle which was knowingly reckless and dangerous;
- d. That the Defendant, Garcia Campos, individually, and acting within the scope of his employment with Defendant, TA Logistics Inc., was driving the 2017 Volvo eighteen wheeler in a manner by which he was following to closely to Plaintiff's vehicle and made impact to the rear of Plaintiff's vehicle in a lane of traffic where Plaintiff had the lawful right to be traveling in at the time of said impact to Plaintiff's vehicle;

17. As a direct and proximate consequence of the aforesaid wrongful, negligent, grossly negligent and/or wanton conduct of Defendants, Garcia Campos and TA Logistics, Inc. and various fictitiously described Defendants, Plaintiff was injured and damaged as set out herein above.

18. Defendant, Garcia Campo's, actions were in furtherance of a company-wide pattern and practice of consciously and/or recklessly disregarding the safety of the motoring public in order to advance the financial gains of the company.

WHEREFORE PREMISES CONSIDERED, Plaintiff demands judgment against Defendants, Garcia Campos, TA Logistics, Inc, and and fictitiously described Defendants for compensatory and punitive damages in an amount to which a jury may feel they are entitled, plus interest and costs.



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Respectfully submitted,

Lynda Reon

By:


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